

REMARKS

Status of the Claims

Claims 1-11, 14-22, 27 and 28 were pending.

Claims 1-11, 14-22, 27 and 28 were rejected.

It is believed that the remarks laid out herein below attend to all rejections and further issues raised in the pending office action dated 11 December 2007.

Claim Rejections

Claim Rejections – 35 U.S.C. § 102(a)

Claims 1, 2, 4-11, 14-22 were rejected under 35 U.S.C. § 102(e) as being allegedly unpatentable over Srikrishna et al (US 7,031,293).

Claim 1 is directed to a wireless access node that includes the following features:

a first radio operable to transmit/receive on a subset of N transmission channels, one channel at a time;

a second radio operable to transmit/receive on another subset of the N transmission channels, a different channel at a time;

a first filter bank of less than N filters for filtering a first transmit/receive signal of the first radio; and

a second filter bank of less than N filters for filtering a second transmit/receive signal of the second radio, **at least one of the pass-bands of the second filter bank being different than the pass-bands of the first filter bank;**

wherein N is greater than 2, and wherein the combination of the first radio and the second radio are operable to transmit/receive on all N transmission channels.

Applicants respectfully, but strongly disagree with the Examiners rejection because the cited reference does not teach or describe *at least one of the pass-bands of the second filter bank being different than the pass-bands of the first filter bank.*

The applicant's specification includes descriptions of several different filtering configurations of a wireless access node (see Figures 2, 3, 4). Each of these configurations can be used for the applications described in Srikrishna, but are not taught, disclosed or suggested by Srikrishna. However, as described, the embodiment of Figure 4 can provides some cost advantages not offered by the embodiments of Figures 2 and 3.

The embodiment of Figure 4 includes two filter bands, in which one of the pass-bands of the second filter bank is different than the pass bands of the first filter bank.

The section (col. 10, line 11) of Srikrishna cited by the Examiner states "shown is transceiver 1050, with two channels indicated, each channel having its own filter. For one embodiment, a single filter 1065, 1075 may be allocated to each transceiver, and the filter may be tuned, to filter for the appropriate channel conditions selected. For another embodiment, each filter 1065, 1075 may actually be composed of multiple individual filters. The filters 1065, 1075 may switch in the appropriate filtering circuitry for each channel being used. The first configuration includes tunable band pass filters, which clearly does not teach the claimed invention. The second embodiment teaches each filter includes multiple individual filters, but does not teach the multiple filters being different from each other. One skilled in the art would be inclined to make the multiple individual filters the same. Srikrishna does not teach, suggest, or make this configuration obvious.

Srikrishna teaches the uplink and downlink channels being different to minimize interference. However, Srikrishna does not teach uplink and downlink filter banks that includes different filters. More specifically, Srikrishna does not teach one of the pass-bands of the second filter bank being different than the pass bands of the first filter bank. The variations in the filter banks provide an access node embodiment that is less expensive (due to fewer filters) than embodiments of access nodes in which the uplink and downlink filter banks are the same.

The claimed invention includes the number of filters of the filter banks being greater than 2.

Claims 1 and 14 are patentable over the cited references. Claims 2, 4-13 are directly or indirectly dependent on claim 1. Therefore, claims 2, 4-13 are patentable over the cited references as well.

Claim 5 includes the feature that the communication of the access node to the first device and the second device is reversible. Srikrishna does not teach or describe this feature. Therefore, claim 5 is additionally patentable over the cited reference.

Claims 10, 11, 21, 22 include additional features to emphasize the differences between the two filter banks. Srikrishna does not recognize, teach or suggest the differences between the filter banks. Therefore, claims 10, 11, 21, 22 are additionally patentable over the cited reference.

Claim 14 is patentable over the cited references for the reasons described above. However, Claims 15-22 are directly or indirectly dependent on claims 14. Therefore, claims 15-22 are patentable over the cited reference.

Claim 20 includes the feature the second radio and the first radio of each access node can be rotated between downstream data transmission and upstream data transmission. Srikrishna does not recognize, teach or suggest radios rotating between downstream data transmission and upstream data transmission. Therefore, claim 20 is additionally patentable over the cited reference.

No new matter has been added.

Applicants respectfully suggest that each of the claims presently in the application are distinct over the prior art and that the application is now in condition for allowance. Accordingly, Applicants request that the restriction/election requirement be withdrawn and the claims be allowed.

Respectfully submitted,

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